

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

UNITED STATES, et al.,)	
)	
Plaintiffs,)	
v.)	No. 1:23-cv-00108-LMB-JFA
)	
GOOGLE LLC,)	
)	
Defendant.)	

[PROPOSED] ORDER

Upon consideration of the pending motions to seal at ECF Nos. 592, 605, 612, 642, 648, 651, 661, 667, 698, 712, and 719, as well as Non-Party Criteo Corp.’s memorandum of points and authorities in support of the motions to seal, the supporting Declaration of Bryan Weiland, and pursuant to Local Civil Rule 5 and the standards set forth in *Ashcraft v. Conoco, Inc.*, 218 F.3d 288, 302 (4th Cir. 2000), the Court hereby:

FINDS the motions for sealing should be granted in part pursuant to the Modified Protective Order, ECF No. 203, and applicable law. The information Criteo seeks to seal is competitively sensitive, confidential business information that courts in this Circuit have found satisfy the First Amendment and common law standard for sealing. *See Doe v. Pub. Citizen*, 749 F.3d 246, 269 (4th Cir. 2014); *BASF Plant Sci., LP v. Commonwealth Sci. & Indus. Rsch. Organisation*, No. 2:17-CV-503, 2019 WL 8108115, at *1 (E.D. Va. Aug. 15, 2019); *East West, LLC v. Rahman*, 2012 WL 3841401, at *3 (E.D. Va. Sept. 4, 2012).

Accordingly, for good cause shown, it is hereby ORDERED that the pending motions to seal at ECF Nos. 642 and 661 are GRANTED. The parties shall publicly file a redacted version of the above-noted documents as follows:

- DOJ Opp. to Mot. to Exclude R. Lee, ECF No. 660, quoting CRITEO_GOOGLELIT_0000000729, at -730 – **Redact the numerical percentages quoted.**
- DOJ Opp. to Mot. to Exclude Simcoe, ECF No. 640, quoting CRITEO_GOOGLELIT_0000011698, at -701 – Criteo’s response to the European Commission’s Questionnaire re “COMP/AT.40760 – Google – AdTech and Data-related practices” – **Redact entire quote describing Criteo’s bidding strategy.**

IT IS FURTHER ORDERED that the materials above shall be maintained under seal by the Clerk, until otherwise directed.

IT IS SO ORDERED.

Date:

Hon. Leonie M. Brinkema
United States District Judge